IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 13563 of 2007(M)

PETITIONER:

SRI.SHAJI SEBASTIAN,
KALLINGAPARAMBIL, NAD P.O., NOCHIMA.

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENTS:
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1. ASST.ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL SECTION, ALUVA NORTH.

2. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY,
VYDYUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.P. THAJUDEEN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE LETTER NO. INS/AN/2006-07 DATED NIL TOGETHER WITH THE SITE MAHAZAR AND PROVISIONAL INVOICE DATED 24.1.2007 FOR THE AMOUNT OF RS. 18,289/-.

EXT.P2 TRUE COPY OF THE OBJECTION DATED 3.2.2007 SUBMITTED BY THE PETITIONER.

EXT.P3 TRUE COPY OF THE ORDER DATED 29.3.2007 PASSED BY THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS:; NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 13563 OF 2007

Dated this the 20th day of June, 2007

JUDGMENT

Petitioner's grievance is that Ext.P3 is issued without hearing petitioner's objections. Even though detailed order is issued vide Ext.P3 on the proposal to raise additional demand, it is seen that petitioner was not heard in the matter. Petitioner has under interim orders of this Court deposited one third of the demand due under Ext.P3. In the circumstances, W.P. is disposed of directing the first respondent to give a hearing to the petitioner, treating Ext.P3 as a proposal and issue fresh orders considering the petitioner's objection also within a period of one month from the date of production of a copy of this judgment by the petitioner. Recovery of the balance will remain stayed for one month from now and thereafter recovery of further amounts will be based on the orders to be passed by the first respondent after hearing the petitioner.

(C.N.RAMACHANDRAN NAIR)
Judge